



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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October 20, 2016

**BY ECF**

Honorable Peggy Kuo  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Katrina Peeples v. City of New York, et al., 15-CV-6511 (JBW)(PK)

Your Honor:

I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney assigned to the defense of above-referenced matter. I write to respectfully request, with plaintiff's consent, a fourteen (14) day extension of time from today, October 20, 2016, to and including November 3, 2016, to identify the names of additional non-party police officers present at the scene of plaintiff's arrest. The parties also jointly request a corresponding extension of time to November 3, 2016 to file a proposed discovery plan so that the Court can establish new deadlines for the completion of discovery.

As Your Honor is aware, plaintiff alleges that an unspecified number of non-party police officers arrived at the scene of her September 8, 2013 arrest to transport plaintiff's co-arrestees to the police precinct. At a conference held in this matter on October 6, 2016, plaintiff advised the Court of her intention to conduct depositions of the non-party police officers, and the Court ordered defendants to identify these individuals by October 20, 2016. (*See* Docket Entry No. 34) The Court further ordered the parties to file an amended case management plan by October 20, 2016 to propose new discovery deadlines once these non-party officers had been identified. Since entry of the Court's October 6, 2016 Order, defendants have attempted to identify non-party officers who arrived at the scene of plaintiff's September 8, 2013 arrest. However, due to the fact that over three years has elapsed since the alleged incident, the lack of description from plaintiff of the non-party officers, and the scheduling difficulties presented by the need to confer with each member of the NYPD who was assigned to work in the vicinity of the alleged incident, defendants have not yet been able to complete this task. Defendants

therefore require additional time to determine which members of the NYPD may have arrived at the scene in order to identify the individuals that plaintiff seeks to depose.

For the foregoing reasons, defendants respectfully request, with plaintiff's consent, a fourteen day extension of time from October 20, 2016, to and including November 3, 2016, to identify the names of additional non-party police officers present at the scene of plaintiff's arrest. The parties further request a corresponding extension of time to November 3, 2016 to file a proposed discovery plan with the Court to establish new deadlines for the completion of discovery.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Alexander Noble  
*Assistant Corporation Counsel*

**BY ECF**  
cc: Ryan Lozar, Esq.  
*Attorney for Plaintiff*